

80

Notice of Allowability

Application No.

10/689,295

Applicant(s)

BARRETT ET AL.

Examiner

Christopher E. Lee

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed on 29th of June 2007.
2. ☒ The allowed claim(s) is/are 1-6,9-19,22-32 and 35-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


CHRISTOPHER E. LEE
 PRIMARY EXAMINER

DETAILED ACTION

Receipt Acknowledgement

1. Receipt is acknowledged of the Amendment After Final filed on 29th of June 2007. No claim has been amended; claims 40-45 have been canceled; and no claim has been newly
5 added since the RCE Final Office Action was mailed on 1st of June 2007. The amendment places the Application in condition for allowance without changing and/or extending the scope of the claimed invention, and thus this amendment is entered. Currently, claims 1-6, 9-19, 22-32, and 35-39 are pending in this Application.

Allowable Subject Matter

- 10 2. Claims 1-6, 9-19, 22-32, and 35-39 are allowed.
3. The En examiner's statement of reasons for allowance had been discussed in the prior Office Action mailed on 1st of June 2007, such that:

With respect to claims 1, 14, and 27, the claim limitations of the respective claims 1, 14, and 27 are deemed allowable over the prior art of record as the prior art fails to teach or suggest
15 that the override is delayable until a particular communication between the first wireline interface and the second wireline interface has been completed.

The claims 2-6 and 9-13 are dependent claims of the claim 1.

The claims 15-19 and 22-26 are dependent claims of the claim 14.

The claims 28-32 and 35-39 are dependent claims of the claim 27.

- 20 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 571-272-3637. The examiner can normally be reached on Monday through Friday, 9:30am - 6:00pm (EST).

5 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications
10 may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the
15 automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

20


Christopher E. Lee
Primary Patent Examiner
Art Unit 2111

/CEL/